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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/542,858	04/04/2000	Douglas A. Campbell	3835-4001	6181

7590 08/05/2003

Morgan & Finnegan LLP
345 Park Avenue
New York, NY 10154

EXAMINER

OPIE, GEORGE L

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/542,858

Examiner

George L. Opie

Applicant(s)

Campbell et al.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ____ Responsive to communication(s) filed on ____.
- 2a) ____ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ____ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ____ Claim(s) ____ is/are allowed.
- 6) ____ Claim(s) ____ is/are rejected.
- 7) ____ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-44 are subject to restriction and/or election requirement.

Application Papers

- 9) ____ The specification is objected to by the Examiner.
- 10) ____ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ____ The proposed drawing correction filed on ____ is: a) ____ approved b) ____ disapproved.
- 12) ____ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ____ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ____ All b) ____ Some * c) ____ None of the CERTIFIED copies of the priority documents have been:
1. ____ received.
2. ____ received in Application No. (Series Code / Serial Number) ____.
3. ____ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ____ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ____ Notice of References Cited (PTO-892) 17) ____ Interview Summary (PTO-413) Paper No(s). ____.
- 15) ____ Notice of Draftsperson's Patent Drawing Review (PTO-948) 18) ____ Notice of Informal Patent Application (PTO-152)
- 16) ____ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 19) ____ Other: ____.

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RESTRICTION**1. Groupings**

- I. Claims 1-12 drawn to accessing a remote server via a name server, classified in class 709, subclass 219.
- II. Claims 13-24 and 33-39 drawn to accessing a server from a client, classified in class 709, subclass 203.
- III. Claims 25-31 drawn to allocating network resources, classified in class 709, subclass 226.
- IV. Claim 32 drawn to computer-to-computer data routing, classified in class 709, subclass 238.
- V. Claims 40-44 drawn to interfacing a client to a network, classified in class 709, subclass 250.

2. Subcombination, Usable Together

Inventions I, II, III, IV and V are related as subcombinations disclosed as usable together in a single invention. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the above grouped inventions have separate utility such as, inter alia, allocating network resources, routing data, and client/server interaction. See MPEP § 806.05(d).

3. Conclusion

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art 1) as shown by their different classification, 2) because of their recognized divergent subject matter, and/or 3) the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Contact Information:**PTO Policy for Facsimile Submissions:**


- ☐ AFTER-FINAL faxes must be signed and sent to (703) 746-7238.
- ☐ OFFICIAL faxes must be signed and sent to (703) 746-7239.
- ☐ NON OFFICIAL faxes should be sent to (703) 746-7240.

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which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee charging, etc.

- ☐ All responses sent by U.S. Mail should be mailed to:
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450
- ☐ Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.
- ☐ Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(703) 305-9600**.
- ☐ Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at (703) 308-9120 or via e-mail at *George.Opie@uspto.gov*. Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.


ZARNI MAUNG
PRIMARY EXAMINER